

Attorney Docket No.: 09010-004004

#14/B  
Dmt  
9-26-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Murphy, et al.  
Serial No. : 09/619,032  
Filed : July 19, 2000  
Title : ALPHA-GALACTOSIDASE

Art Unit : 1652  
Examiner : Delia M. Ramirez, Ph.D.

**BOX SEQUENCE**

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**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS**  
**FOR PATENT APPLICATIONS CONTAINING**  
**NUCLEOTIDE AND/OR AMINO ACID SEQUENCES**

In response to the communication dated May 14, 2002 (copy enclosed), applicants submit herewith a Sequence Listing in computer-readable form as required by 37 CFR §1.824. In addition, applicants submit a substitute Sequence Listing as required under 37 CFR §1.823(a) and a statement under 37 CFR §1.821(f).

Applicants respectfully request entry of the paper copy and computer-readable copy of the Sequence Listing filed herewith for the instant application. Furthermore, applicants request entry of the following amendments.

**In the specification:**

Replace the original Sequence Listing with the substitute Sequence Listing filed herewith.

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202.

September 16, 2002

Date of Deposit

Signature

Jeanne Amour-Rice

Typed or Printed Name of Person Signing Certificate

REMARKS

Applicants hereby submit that the enclosures fulfill the requirements under 37 C.F.R. §1.821-1.825. The amendments in the specification merely replace the original Sequence Listing with a substitute paper copy and computer-readable copy of the Sequence Listing. The substitute Sequence Listing contains the sequences disclosed in Figure 1 of the instant application.

The Examiner states that SEQ ID NO:4 disclosed in the paper copy of the Sequence Listing of the instant application consists of 364 amino acid residues. And further, that the computer-readable format (CRF) of the parent application, patent application serial no. 09/407,806 (herein referred to as '806), filed September 28, 1999, which applicants requested to be used as the CRF of the instant application consists of 346 amino acid residues.

Figure 1 of the instant application contains the nucleic acid and predicted amino acid sequences of the invention, designated SEQ ID NOs:3 and 4, wherein the DNA sequence is 1,095 nucleotides in length, and the predicted protein sequence is 364 amino acid residues in length. Figure 1 of both the instant application and the parent application ('806) contain identical sequences. The paper copy of the Sequence Listing filed in both the instant application and parent application ('806) contain identical sequences. In accordance with the requirements under 37 CFR §1.8721-1.825, applicants submit herewith an amended CRF that contains the sequences disclosed in Figure 1, with the correction as set forth below, the original paper copy of the Sequence Listing, and the substitute paper copy of the Sequence Listing filed herewith.

Further, applicants have amended the nucleic acid sequence, and subsequently the predicted amino acid sequence, of the invention (SEQ ID NOs:3 and 4, respectively). The start codon in the original paper copy of the Sequence Listing and Figure 1 is "TTG" which translates into Leucine. However, it is known to those skilled in the art that a start codon is "ATG" which translates into methionine. Applicants have amended the first nucleotide in the DNA sequence (SEQ ID NO:3), and subsequently the first amino acid residue in the predicted protein sequence (SEQ ID NO:4), as shown in the Sequence Listing filed herewith. Additionally, the nucleic acid sequence as set forth in the sequence listing is the same as that of the nucleic acid sequence in the plasmid DNA described on page 20, lines 17 to 18 of the specification to be deposited in the ATCC. No new matter has been added.

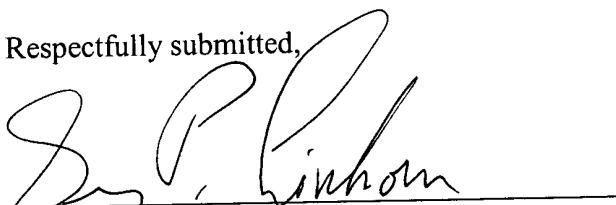
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Please apply any charges or credits to Deposit Account No. 06-1050, referencing attorney docket number 09010-004004.

Respectfully submitted,

Date: Sept. 16, 2002

  
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Application No.	Applicant(s)
09/619,032	MURPHY ET AL.
Examiner	Art Unit
Delia M. Ramirez	1652

## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

7 Other:

### Applicant Must Provide:

- A final or substitute computer readable form (CRF) copy of the "Sequence Listing".
- A final or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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